

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____ CATHERINE GANNON, Plaintiff	) ) )	
v.	)	Civil Action No.:
	)	
UNITED STATES OF AMERICA, Defendant	) ) ) _____	

**COMPLAINT**

**PARTIES**

1. Plaintiff, Catherine Gannon, is an individual residing in Roslindale, Massachusetts and a United States Citizen.
2. The Defendant, is the United States of America ("United States") acting by and through the United States Postal Service, located locally at 25 Dorchester Avenue, Boston, Massachusetts 02205.

**JURISDICTION AND VENUE**

3. The Court has jurisdiction over this claim pursuant to 28 U.S.C. § 1331 because the Defendant, is the United States, and Plaintiff's claim involves a federal statute, specifically, 28 U.S.C. § 1346(b), Federal Torts Claim Act, which gives federal district courts exclusive jurisdiction.
4. Venue is proper in this judicial district because a substantial part of the events or omissions giving rise to the claim occurred in Massachusetts.

**FACTS**

5. Pursuant to 28 U.S.C. § 1346(b), Plaintiff submitted her claim for injury to the Defendant, United States, on May 29, 2015.

6. Defendant, United States, received Plaintiff's claim for injury on June 1, 2015.
7. It has been over six months since Defendant, United States, received Plaintiff's claim of injury.
8. Defendant, United States, issued a decision denying Plaintiff's claim of injury on February 11, 2016.
9. On or about January 5, 2013, Plaintiff, was a customer at the Roslindale United States Post Office, located at 16 Cummings Highway, Roslindale, MA 02131.
10. While entering the Roslindale United States Post Office, Plaintiff tripped and fell on an improperly laid and maintained rug situated directly inside the entrance door, resulting in serious injuries which continue to this date.

**COUNT I - NEGLIGENCE**

11. Plaintiff re-alleges and reasserts paragraphs 1-10 of this Complaint as if set forth fully herein.
12. At all times relevant hereto, Defendant, United States, was the owner, occupier and in control of the premises located at 16 Cummings Highway, Roslindale, MA 02131.
13. At all times relevant hereto, Plaintiff was lawfully on the premises of the Defendant, United States.
14. Defendant, United States, owed the Plaintiff a duty to maintain its premises in a reasonably safe condition.
15. Defendant, United States, breached its duty to the Plaintiff by failing to exercise reasonable care in the operation and/or maintenance of its Roslindale location.
16. Defendant, United States, breached its duty to the Plaintiff by failing to exercise reasonable care by failing to warn of unsafe or hazardous conditions on the premises.

17. Defendant, United States, breached its duty owed to the Plaintiff which caused Plaintiff to fall, resulting in the Plaintiff sustaining serious personal injuries and damages.
18. The failure of Defendant, United States, to exercise reasonable care in operating and/or maintaining its premises in a safe condition and failing to warn of dangerous or hazardous conditions, was negligence, and such negligence caused Plaintiff's injury and related damages.
18. As a result of the negligence of the Defendant, United States, the Plaintiff incurred substantial medical care, including surgery, medical expenses and has suffered great pain of body and mind, permanent physical impairments and loss of enjoyment of her life and normal activities.

WHEREFORE, the Plaintiff, Catherine Gannon, requests the Court enter judgment in her favor against Defendant, United States of America, for full and reasonable compensation for her damages, plus costs and interest, as well as any and all relief this Court deems appropriate.

Dated: February 19, 2016

Respectfully Submitted,  
The Plaintiff,  
Catherine Gannon  
By her Attorneys,

/s/ H. Charles Hambelton  
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